

In subsection (e)(2)(i) of this section, the requirement that the Commissioner hold a hearing within 30 days is added to state explicitly the requirement that only was implied in the former law.

Defined terms: "Commissioner" § 1-101

"Domestic insurer" § 1-101

"Insurance" § 1-101

"Insurer" § 1-101

"Person" § 1-101

3-128. SOLICITATIONS IN OTHER STATES.

(A) "RECIPROCATING STATE" DEFINED.

IN THIS SECTION, "RECIPROCATING STATE" MEANS A STATE UNDER THE LAWS OF WHICH A PROHIBITION ON SOLICITATION SIMILAR TO THAT IMPOSED AGAINST DOMESTIC INSURERS UNDER THIS SECTION IS IMPOSED ON AND ENFORCED AGAINST INSURERS DOMICILED IN THAT STATE.

(B) SOLICITATION IN RECIPROCATING STATE PROHIBITED.

A DOMESTIC INSURER MAY NOT KNOWINGLY SOLICIT INSURANCE BUSINESS IN A RECIPROCATING STATE IN WHICH THE DOMESTIC INSURER IS NOT LICENSED AS AN AUTHORIZED INSURER.

(C) ADVERTISING AUTHORIZED.

THIS SECTION DOES NOT PROHIBIT ADVERTISING THROUGH PUBLICATION OR BY RADIO, TELEVISION, OR OTHER BROADCASTS ORIGINATING OUTSIDE THE RECIPROCATING STATE IF:

(1) THE INSURER IS LICENSED TO ENGAGE IN THE INSURANCE BUSINESS IN A MAJORITY OF THE STATES IN WHICH THE ADVERTISING IS DISSEMINATED; AND

(2) THE ADVERTISING IS NOT SPECIFICALLY DIRECTED TO RESIDENTS OF THE RECIPROCATING STATE.

(D) EFFECT OF SECTION.

THIS SECTION DOES NOT PROHIBIT:

(1) INSURANCE COVERING PERSONS OR RISKS LOCATED IN A RECIPROCATING STATE UNDER CONTRACTS SOLICITED AND ISSUED IN STATES IN WHICH THE INSURER IS THEN LICENSED; OR

(2) INSURANCE EFFECTUATED BY THE INSURER AS AN UNAUTHORIZED INSURER UNDER THE LAWS OF THE RECIPROCATING STATE.

(E) SUSPENSION OR REVOCATION OF CERTIFICATE OF AUTHORITY.

IF THE COMMISSIONER FINDS, AFTER A HEARING, THAT A DOMESTIC INSURER HAS VIOLATED THIS SECTION, THE COMMISSIONER SHALL SUSPEND OR REVOKE THE CERTIFICATE OF AUTHORITY OF THE DOMESTIC INSURER.